

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Master Use Permit Requirements for Administrative Conditional Use (in Single Family and Multifamily Zones)

November 2001

This Client Assistance Memo (CAM) summarizes the application requirements for an Administrative Conditional Use permit based upon specific criteria as set out in the Land Use Code (provisions of Subtitle IV, parts 2 and 3 of Title 23 of the Seattle Municipal Code).

Applications for an Administrative Conditional Use permit are authorized according to the procedures for Master Use Permits and Council Land Use Actions as described in chapter 23.76 of the Land Use Code.

Criteria

A conditional use may be granted in Single Family and Multifamily zones based upon the proposed use meeting specific criteria as designated in the Land Use Code. These criteria are summarized in Attachment A of this document. Please review the criteria applicable to your proposal and design all the required documentation for your application package to show how your proposed use meets these criteria.

Plans Required

DPD requires 3 identical copies or sets of plans for an Administrative Conditional Use permit. Plans should meet required size and scale as described in CAM 106, *General Standards for Plans and Drawings*, and each set should have a DPD cover sheet. As the intent of the plans is to clearly describe the existing and proposed development, **ALL plans should show EXISTING conditions and emphasize PROPOSED changes.** The types of plans required include:

SITE PLAN—All applications require a detailed site plan requirements of CAM 103, *Site Plan Requirements*, and 103A, *Site Plan Guidelines*.

ELEVATION PLANS—Provide elevation views of structures showing height dimensions from existing or finished grade (whichever is lower) to the top of walls and all roof ridge lines.

FLOOR PLAN(S)—Provide floor plans showing the use of all floor area.

VICINITY MAP—A vicinity map is required for all applications for institutions showing the distance in feet to all other institutions within 600 feet. A vicinity map for other conditional use applications in Single Family and Multifamily zones is optional.

LANDSCAPING AND SCREENING PLANS—The placement of landscaping may enhance the compatibility of the proposed development with the residential scale and character of the surrounding area. The quantity and location of landscaping & screening may also specifically support a proposed project in meeting noise control requirements and parking quantity and location. The quantity, placement and maintenance of landscaping is regulated by the Land Use Code and Director's Rule 13-92. Further information can be obtained from CAM 234, *Landscaping Information*.

TOPOGRAPHIC MAP—A topographic map per the requirements of CAM 103B, *ECA Site Plan Requirements*, will be required when the application includes construction components and is subject to the standards for Environmentally Critical Areas (25.09). Under conditions other than those stated above, the topographic map is optional. However, it may provide useful information to meet specific conditions or requirements, especially with regard to requested waivers and modification.

PARKING LOCATION AND ACCESS—Provide information on parking location and vehicular access to the site on the site plan or on a separate drawing. Calculations of required parking spaces and proposed spaces should be provided on the plans.

www.seattle.gov/dpd



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For a **checklist of the specific plan and application requirements for your project**, please visit our Applicant Services Center (ASC) and speak with a Land Use Planner. The ASC is located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. HOURS: M/W/F, 7:30 am-5:30 pm; Tu/Th, 10:30 am-5:30 pm.

Application Fees & Procedures

Fees are due at the time you apply. Permit fees are based upon the valuation of the work to be performed as established in the current Fee Subtitle, available online on our "Fees" page at www.seattle.gov/dpd/about. Information on fees and procedural requirements is available through DPD's Public Resource Center, 20th floor, Seattle Municipal Tower, 700 Fifth Ave., (206) 684-8467.

Application Instructions

1. For assistance with **specific Land Use Code questions related to your application**, you may:
 - meet with a land use planner at the ASC; or
 - submit your question online via our Land Use Q&A Service at www.seattle.gov/dpd/landuse (click on "Questions?").
2. Prior to Appointment—In order to schedule an intake appointment you must have completed a Preliminary Application and a Pre-Application Site Visit Request Form. You will receive a project number and a report from the site inspector.
3. **Apply by Appointment**—Administrative Conditional Use applications are filed with DPD by a scheduled appointment with a Land Use Planner at the ASC; call (206) 684-8850.
4. Complete the attached Administrative Conditional Use application form.
5. Prepare three sets of plans with cover sheets as indicated previously.
6. At your appointment, the fees will be collected along with your completed application and three sets of plans.
7. If environmental review is required under the State Environmental Policy Act (SEPA) (see CAM 208, *When Environmental Review is Required in Seattle*), the SEPA component must be reviewed in conjunction with the review of the Administrative Conditional Use application (Section 23.76.010D of

the Land Use Code). A completed SEPA Checklist form will be required at the intake appointment along with the applicable fee.

8. DPD will determine within 28 working days of receiving your application whether it is complete, and will notify you in writing if it is not.

Notice of Application

DPD will prepare a notice of the application in the department's Land Use Information Service Bulletin and will post 4 placards on or near the development site. Additionally all properties within 300 feet of the subject site will receive mailed notice of the application.

The Land Use Information Service Bulletin, placards and 300 foot mailed notice initiate a 14-day comment period that may be extended for an additional 14 days if written request is received prior to the end of the initial 14-day comment period.

The Land Use Information Service Bulletin is available online at www.seattle.gov/dpd/notices.

Decisions

The granting or denial of an Administrative Conditional Use application is regulated by the provisions of Section 23.76.004 of the Land Use Code.

When a conditional use is granted, conditions may be attached regarding the location, character and other features of a proposed structure or use as may be deemed necessary to carry out the spirit and purpose of the Land Use Code.

DPD will publish the decision and notify interested parties. Any person significantly affected by, or interested in, the decision of the Department may appeal. The appeal instructions are included with the notice of decision.

Access to Information

Links to electronic versions of DPD **Client Assistance Memos (CAMs), forms, codes** and Director's Rules are available on the "Publications" and "Codes" pages of our website at www.seattle.gov/dpd. Paper copies of these documents are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.

CITY OF SEATTLE

Application Form for Administrative Conditional Use in Residential Zones

GENERAL DESCRIPTION

1. What type of conditional use are you requesting? _____
(Applicant - Please use one of the category headings from Attachment A. Examples: institution [church], clustered housing, use of Landmark structure, etc.)
2. Is the proposal a new use? _____ or an expansion of an existing use? _____
If this is a new use, what is the existing use of the site or structure?
3. Describe the proposed project including square footage of the structure, height (1, 2, 3 stories, etc.) and other specific details that, with the plans explains the nature of the proposed development.
4. If the proposed development is an institution, how many clients, students, employees or residents will be using the facility? What hours of operation, types of programs, etc. are planned for the proposed development?

SPECIFIC REQUIREMENTS

On a separate sheet of paper, describe how your proposal meets the criteria or requirements shown on Attachment A for the specific type of conditional use you are requesting. Reference the criteria number for each response.

Attachment A is only a summary of Land Use Code requirements. Before completing this application, you should read the entire portion of the Code which is applicable to your proposal because you are responsible for ensuring that your application meets all Land Use Code requirements.

If you are requesting any waiver or modification to the development standards or criteria, please provide your reasons or justification for the waiver request.

If a presubmittal conference was conducted with a Land Use Planner, please attach a copy of the conference notes to this application.

LEGAL DISCLAIMER: This Client Assistance Memo (CAM) should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this CAM.

Institution Uses in Single Family Zones

Land Use Code Section 23.44.022

Please respond as to how you meet each of the listed criteria.

New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Sec. 23.44.008 through 23.44.016.

1. Dispersion

1.a. Does your proposal meet the following dispersion criterion?

The lot line is located 600 feet or more from any lot line of any other institution in a residential zone.

1.b. If your proposal does not meet dispersion as described above, describe how it meets one or more of the following exceptions:

1.b(1) An institution may expand even though it is within 600 feet of a public school if the public school was constructed subsequent to December 12, 1985.

1.b(2) An institution may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of the dispersion criteria is achieved due to the presence of physical elements such as bodies of water, large open spaces or topographical breaks or other elements such as arterials, freeways or nonresidential uses, which provide substantial separation from other institutions.

1.b(3) A child-care center serving not more than 25 children may be permitted to locate less than 600 feet from a lot line of another institution if the Director determines that, together with the nearby institutions, the proposed child care center would not:

- Create physical scale and bulk incompatible with the surrounding neighborhood;
- Create traffic safety hazards;
- Create or significantly increase identified parking shortages; or
- Significantly increase noise levels to the detriment of surrounding residents.

1.c. Your plans should graphically show the dispersion characteristics (i.e. the distance of any other institutions from the proposal) as described in the application instructions.

2. Demolition of Residential Structures

2.a. Does your proposal meet the following criterion?

No residential structure shall be demolished nor shall its use be changed to provide for institutional parking.

2.b. If your proposal does not meet the above criterion, describe how it meets the following exception:

If the demolition or change of use is necessary to meet the parking requirements of the Land Use Code and if alternative locations would have greater noise, odor, light and glare or traffic impacts on surround-

ing property in residential use, the Director may permit the parking. The Director may also consider waiver of parking requirements in order to preserve the residential structure and/or use. The waiver may include, but is not limited to, a reduction in the number of required parking spaces and a waiver of parking development standards such as location or screening.

3. Noise and Odors

3.a. Describe how the institution will operate in compliance with the Noise Ordinance, Chapter 25.08.

3.b. In addition to adjustments to the location of the institution on the lot, describe any mitigation provided for potential noise and odor impacts from the following (if applicable):

- on-site parking and vehicular circulation
- outdoor recreational areas
- trash and refuse storage areas
- ventilating mechanisms
- sports facilities and other noise-generating and odor-generating equipment
- fixtures or facilities

4. Landscaping

4.a. Describe how landscaping is used to:

- integrate the institution with adjacent areas
- reduce the potential for erosion or extensive stormwater runoff
- reduce the coverage of the site by impervious surfaces
- screen parking from adjacent residentially zoned lots or streets
- reduce the appearance of bulk of the institution

4.b. Describe how landscaping plant materials are species compatible with surrounding flora.

4.c. What existing plant material will be retained? Describe the long term maintenance plan for landscaped areas.

5. Light and Glare

5.a. Describe how exterior lighting will be shielded or directed away from adjacent residentially zoned lots. What is the area, angle and intensity of illumination?

5.b. Identify mitigation, such as nonreflective surfaces which will be used to help reduce glare.

6. Bulk and Siting

6.a. Lot Area. Is the site more than 1 acre in size? If yes, please answer the following:

6.a(1) For lots with unusual configuration or uneven boundaries, are the proposed principal structures located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum?

6.a(2) For lots with large street frontage in relationship to their size, does the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces and provide continuity of the block front and provide integration with residential structures and uses in the immediate area?

6.b. Yards. Do the yards meet the following development standards?

6.b(1) Single family development standards and no structure other than freestanding walls, fences, bulkheads or similar structures are closer than 10 feet to the side lot line.

6.c. If the proposed institution does not meet the above standards, the following criteria may be applied:

- 6.c(1) Existing structures which do not meet yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.
- 6.c(2) The yards may be reduced to a minimum of 5 feet if the possible noise, odor, comparative scale or other similar impacts can be mitigated.
- 6.c(3) Describe the demonstrable public benefit of a reduced yard (less than 10' - but not less than 5').

6.d. Religious Symbols. Is there a religious symbol and portion of the roof supporting it, which extends up to 25 feet above the height limit?**6.e. Facade Scale. If any proposed facade exceeds 30 feet in length, what design features such as modulation, architectural features, landscaping or increased yards, have been used to minimize the appearance of bulk?****7. Parking and Loading Berth Requirements****7.a. What are the estimated demands for parking and loading for the proposed development?****7.b. How do you propose to reduce the use of single occupancy vehicles?**

- 7.b(1) Options - public transit, vanpools, carpools, and/or bicycles.

7.c. Are you requesting a modification of parking and loading requirements?

- 7.c(1) What would be the public benefit of the modification?
- 7.c(2) How much more traffic through residential streets would the modification cause?
- 7.c(3) What safety hazards might the modification create?

8. Transportation Plan

A transportation plan will be required for new institutions or institutional additions of more than four thousand (4000) square feet or 20 or more parking spaces. The level of detail will be based on the probable impacts and/or scale of the institution. Please see Section 23.44.022M of the Land Use Code for components. **DPD Director's Rule #14-2002**, "Transportation Management Programs," provides detailed information that may be applicable to your proposal.

Clustered Housing Planned Developments (CHPDs) in Single Family Zones

Land Use Code Section 23.44.024

Please respond as to how you meet each of the listed criteria.

1. Describe how your proposal meets the following site requirements:

1.a. The site is at least 2 acres.

1.b. Environmentally critical areas due to the presence of a riparian corridor, wetland, steep slope and submerged land have been excluded from calculation of minimum size requirements.

Note: If portions of a site are designated environmentally critical due to the presence of a riparian corridor, wetland or steep slope according to SMC Chapter 25.09, Regulations for Environmentally Critical Areas, the conditional use clustered development provisions under Section 25.09.260 shall apply, superseding the standards of this section.

1.c. Note: DPD may exclude some portions of the site from the CHPD when those portions are separated by topographical conditions, have a poor functional relationship to the whole site or would negatively impact adjacent single family zoned lots.

2. Calculate the density, the number of single family dwelling units permitted, using the following criteria.

2.a. Divide the CHPD land area by the minimum lot size permitted by the underlying single family zoning (SF-5000, SF-7200 or SF-9600). Land in designated environmentally critical areas is excluded from the calculations.

2.b. One additional single family structure is permitted if the CHPD provides recreational, meeting and/or day care facilities open to the surrounding community.

3. Yards for the CHPD are provided as follows:

3.a. Yard calculations - (provide in chart form and graphically on your plans):

1) Distance to street property line = _____ [minimum of 20' to SF zoned lot]

2) Side yard = _____ [minimum of 5' to SF zoned lot]

3) Rear Yard = _____ [minimum of 25' to SF zoned lot]

4) Other Yards = _____ [minimum of 5' to a non SF zoned lot]

5) Distance between structures = _____ [minimum of 10']

6) Distance from interior facade with no principal entrance to a facade with a principal entrance = _____ [minimum of 15' when structures are more than 100' from a property line]

7) Distance from interior facade with principal entrance to a facade with a principal entrance = _____ [minimum of 20' when structures are more than 100' from a property line]

3.b. How do the yards preserve or enhance topographical conditions, the proposal's relationship to adjacent uses and maintenance of compatible scale and design with the surrounding community?

Attachment A
Part 2 - Clustered Housing - Page 2

4. Landscaping

- 4.a. How does landscaping along the exterior lot lines of the site minimize the effect of the CHPD on adjacent uses?
- 4.b. Describe the compatibility of plant species with surrounding flora. Describe your long term plan for maintaining the landscaping.

Attachment A
Part 3 - Landmark Structures

Use of Landmark Structures in Single and Multifamily Zones

Land Use Code Section 23.44.026

Please respond as to how you meet each of the listed criteria.

Through an Administrative Conditional Use permit, a use not otherwise permitted in the zone may be permitted in a landmark structure pursuant to the Seattle Municipal Code, Chapter 25.12, Landmark Preservation Ordinance. You will need to meet with the City's Landmark Preservation Board and receive written approval for the proposed use and any alterations that are planned.

1. Are any structural changes proposed?

If yes, describe the alterations. Describe how the use is compatible with the existing design and/or construction of the structure.

2. Please explain why a permitted use would be impracticable due to structure design and/or that no permitted use can provide adequate financial support necessary to sustain the structure in a reasonably good physical condition.

3. Describe any potentially detrimental impacts on other properties in the zone or vicinity or to the public interest.

4. Are you requesting a parking waiver? If so, why?

Attachment A
Part 4 - Structures Unsited to Uses Permitted Outright

Structures Unsuitable to Uses Permitted Outright in Single Family Zones

Land Use Code Section 23.44.028

Please respond as to how you meet each of the listed criteria.

NOTE: Application for this conditional use permit can only be made for structures with a minimum of four thousand (4000) sq.ft. of gross floor area.

- 1. Why is the design of the structure not suitable for conversion to a use permitted outright in a single family zone?**
- 2. What is the public benefit provided by the proposed use?**
- 3. Describe measures taken to mitigate noise, odor, parking or traffic impacts.**

Attachment A
Part 5 - Park and Pool Lots

Park and Pool Lots in Single and Multifamily Zones

Land Use Code Section (Single Family): 23.44.030; (Multifamily): 23.45.126

Please respond as to how you meet each of the listed criteria.

A park and pool lot may be authorized through an Administrative Conditional Use permit if the facility is under the management of a public agency responsible for commuter pooling efforts.

- 1. Does parking already exist on the lot?**
- 2. Is the parking lot needed by the principal use or its accessory uses during the hours proposed for park and pool use?**
- 3. When are the peak hour activities associated with the principal use and its accessory uses? Describe how the park and pool use would not interfere with these peak hour activities.**

Attachment A
Part 6 - Conversion of a Nonconforming Use
to Another Nonconforming Use

Conversion of a Nonconforming Use to Another Use Not Otherwise Permitted in a Single Family or Multifamily Zone

Land Use Code Section 23.42.110

Please respond as to how you meet each of the listed criteria.

- 1. What is the existing use? What is the proposed use?**
- 2. How many employees and clients will be associated with the proposed use?**
- 3. What parking, traffic, light, glare, noise, odor and similar impacts are anticipated?**
- 4. How much parking will be provided and where will it be located?**
- 5. What measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yards or parking standards, design modification or setting hours of operation are you employing to mitigate impacts?**

Attachment A
Part 7 - Institutions in Multifamily Zones

Institution Uses, Other Than Public Schools, Not Meeting Development Standards in Multifamily Zones

Land Use Code Section: 23.45.122

Please respond as to how you meet each of the listed criteria.

1. Bulk and Siting

1.a. Describe the special needs of the proposed facility and how the proposed location of the facility is compatible to its surroundings.

1.b. Which of the development standards below are requested to be modified under this proposal to accommodate the special needs and location of the proposed institution? Please explain.

Modulation, landscaping, provision of open space, and structure width, depth and setbacks.

2. Criteria for Dispersion

2.a. Does the proposed institution meet dispersion criteria (more than 600' to the lot line of any other institution)?

2.b. Describe how the proposed new or expanding institution which does not meet development standards for dispersion would not substantially aggravate parking shortages, traffic safety hazards and noise in the surrounding residential area.

3. Noise

3.a. Describe potential noise impacts from the proposed use and any measures that will mitigate (lessen) the potential noise problems of this institutional use.

Examples of mitigating measures may include - existing or proposed landscaping, sound barriers or fences, mounding or berming, adjustments to yards or the location of refuse storage areas, parking location, design modifications and controlled hours for use of specific areas.

4. Transportation Plan

4.a. A transportation plan will be required for new institutions or institutional additions of more than 4000 sq. ft. or 20 or more parking spaces.

The level of detail will be based on the probable impacts and/or scale of the institution. Please see Chapter 23.45.122D of the Land Use Code for details of required elements in the plan. **Director's Rule #14-2002** describes detailed information on Transportation Management Programs (TMPs) that may be applicable to your proposal.

Attachment A

Part 8 - Minor Telecommunication Utilities In Residential Zones

Minor Telecommunication Utilities in Residential Zones

Land Use Code Chapter 23.57

Read the following Land Use Code sections, as applicable to the zoning of your site, and respond to each criterion:

—for Minor Telecommunication Utilities in Single Family Zones, see Section 23.57.010

—for Minor Telecommunication Utilities in Lowrise, Midrise and Highrise zones, see Section 23.57.011